

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Cabinet

The meeting will be held at **7.00 pm** on **11 September 2019**

Committee Rooms 2 & 3, Civic Offices, New Road, Grays, Essex, RM17 6SL

Membership:

Councillors Robert Gledhill (Leader), Shane Hebb (Deputy Leader), Mark Coxshall, James Halden, Deborah Huelin, Barry Johnson, Susan Little, Ben Maney and Aaron Watkins

Agenda

Open to Public and Press

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Queries regarding this Agenda or notification of apologies:

Please contact Lucy Tricker, Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **2 September 2019**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non-pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

Minutes of the Meeting of the Cabinet held on 10 July 2019 at 7.00 pm

The deadlines for call-ins is Wednesday 24 July 2019 at 5.00pm

Present: Councillors Robert Gledhill (Leader), Mark Coxshall, Deborah Huelin, Barry Johnson, Susan Little, Ben Maney and Aaron Watkins

Apologies: Councillors Shane Hebb (Deputy Leader) and James Halden

In attendance: Sean Clark, Director of Finance & IT
Tim Hallam, Deputy Head of Legal (Regeneration) and Deputy Monitoring Officer
Roger Harris, Corporate Director of Adults, Housing and Health/Interim Director of Children's Services
Andrew Millard, Interim Director of Place
Julie Rogers, Director of Environment and Highways
Lucy Tricker, Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

11. Minutes

The minutes of the Cabinet meeting held on 12 June 2019 were approved as a correct record.

12. Items of Urgent Business

There were no items of urgent business.

13. Declaration of Interests

There were no declarations of interest.

14. Statements by the Leader

The Leader began his statement by discussing the work of the Environmental Enforcement Officers, who had been given greater powers to tackle anti-social behaviour, as they had achieved accreditation under the Home Office's Community Safety Accreditation Scheme. He stated that the Environmental Enforcement Officers could now seize alcohol from people under the age of 18, and issue fixed penalty notices to anyone causing harassment. He felt this would help the Council tackle anti-social behaviour and allow officers to take tougher action.

The Leader then moved onto to discuss a recent incident where officers seized a van and fined the owner £400 for dumping garden waste in Bulphan, and stated this penalty had been given again for a van dumping rubbish in Dennises Lane. He commented that fly-tipping cost the council money to clear and enforcement action sent a message that it was not acceptable in Thurrock. He added that the Council had recently prosecuted a man who had received noise nuisance complaints in Chadwell St Mary for keeping 20 dogs, and having failed to comply with the noise abatement notice, was taken to court and fined nearly £10,000.

The Leader then moved on to discuss the hard work of the Trading Standards Port team, as they had won the Product Safety Hero Award at the Chartered Trading Standards Institute Hero Awards. He stated that last year the team had intercepted 36% of dangerous goods entering the UK, which had saved the UK economy £14.4million. He added that the Trading Standards Port team had received £177,000 in funding from the National Trading Standards Board for 2019/20 and this would help them work to identify dangerous consumer products, and confiscating them before they entered the UK market.

Private Howarth's memorial ceremony was the next item that the Leader discussed, and he stated that he felt honoured to attend the ceremony that paid tribute to the Private 101 years after he died from injuries he sustained after being a Prisoner of War during World War One. He explained that tributes were made at West Thurrock Cemetery for Private Howarth, as well as other fallen service men and women from World War One, and a plaque and memorial tree that had been dedicated to them was unveiled. He stated that this service was borne of a Full Council question from a local resident in July 2018, and the service had been well attended by Private Howarth's relatives, local residents, Members, officers, and the Royal British Legion.

The Leader then updated the Cabinet on Clean It, Cut It, Fill It and stated that since April 2019: 649 potholes had been filled and all were within timeframe; 328 fly-tips had been cleared; 469 tonnes of waste had been cleared; and 99% of household waste bins had been emptied on the correct day. The Leader finished his statement by congratulating the Chief Executive as she had been appointed Honorary Fellow to the Thames Estuary Partnership for the contribution she had made to the sustainability of the River Thames.

15. Briefings on Policy, Budget and Other Issues

Councillor Little commented that she felt pleased the fly-tips in Bulphan had been cleared so quickly, and the offenders had been fined. She thanked local residents for their co-operation with the Council in reporting fly-tips, and thanked the Environmental Enforcement team for their hard work too. She added that she was pleased the man with 20 dogs in Chadwell St Mary had been fined, but felt disheartened that the RSPCA had returned 8 dogs to him, as she felt this would still create some noise. Councillor Coxshall thanked the Trading Standards team for their hard work, as he believed they saved the Council money by pre-emptively tackling issues such as faulty electrical

goods.

16. Petitions submitted by Members of the Public

No members of the public had submitted petitions.

17. Questions from Non-Executive Members

No questions had been received from non-Executive Members.

18. Matters Referred to the Cabinet for Consideration by an Overview and Scrutiny Committee

No matters had been referred to the Cabinet for consideration by an Overview and Scrutiny Committee.

19. LTC Task Force Update (Decision: 110511)

The Leader stated that this report was simply to note the work of the Lower Thames Crossing Task Force. Councillor Coxshall added that as Highways England moved closer to submitting the scheme, he felt the Task Force should bring back actions and delivery points, rather than reports to note, for Cabinet to consider. Councillor Little asked if Tim Jones leaving Highways England had had an effect on the Lower Thames Crossing project, and also asked how the new Resident Representative for the Task Force had been chosen. Councillor Coxshall replied that the Chair of the Task Force had chosen the Resident Representative. The Leader asked for another recommendation to be added, based on discussions that asked the Task Force to be mindful to bring forward action points so Cabinet can deliver the message on the LTC as soon as possible.

RESOLVED: That Cabinet:

1. Noted the work of the Task Force.

2. Requested the Lower Thames Crossing Task Force be mindful to bring forward action points to Cabinet.

Reason for decision: as outlined in the report
This decision is subject to call-in

20. Integrated Transport Block Capital Programme 2019-20 (Decision: 110512)

Councillor Maney introduced the report and stated that this was a new exercise to explain the Department for Transport (DfT) funding allocation for both the Integrated Transport Block and Maintenance Block. He stated that the Integrated Transport Block would receive £971,000 from the DfT, and the

Maintenance Block would receive £1.938million. He added that it was largely at the Council's discretion how this funding was allocated, as long as it was within Thurrock's Transport Strategy. He asked Members to note the Safer Routes to School scheme that had been included in this report, as lots of work had gone into this. He mentioned that this was a five-year scheme that prioritised work for those schools that needed Safer Routes to School. He summarised and stated that this report was approved at overview and scrutiny, and their only statement for Cabinet had been to request an additional recommendation asking for in-year variations in the programme to return to Cabinet before approval.

Councillor Watkins started discussions and commented that the Safer Routes to Schools scheme had been talked about for some time and felt it was positive to see it come before Cabinet. He felt that although not all schools could have this implemented this year, all schools would have the scheme in place within five years. He stated that it was good to see the highest priority schools receiving the Safer Routes to School scheme first. Councillor Maney added that schools with a Travel Plan had also been prioritised as this document helped the Council, and encouraged all schools to design a Travel Plan.

The Leader added that this report allowed residents to see the scoring mechanism behind the Safer Routes to Schools scheme, so they could understand why some schools had been prioritised over others, although by the end of the five-year scheme all schools would be part of the scheme. Councillor Little then asked if new schools being built would become part of the scheme automatically. The Interim Director Place replied that as part of negotiations with schools, the Safer Routes to School scheme would be included as new schools should have a Travel Plan and S106 agreement.

The Leader asked for an additional recommendation to be added based on the comments from overview and scrutiny committee, and asked for recommendation 1.2 to be clarified that this came under Councillor Maney, rather than Councillor Watkins, remit.

RESOLVED: That Cabinet:

- 1. Approved the Integrated Transport Block Capital Programme and the Highway Maintenance Capital Programme for 2019/20 (as detailed in Appendices 1 and 4)**
- 2. Noted and approved the process by which the Safer Routes to School and Road Safety Engineering programme (as detailed in Appendix 2 & 3) is assessed and prioritised for implementation over the next 5 years through delegated authority held by the Director of Place, in consultation with the Cabinet Member for Highways and Transport.**
- 3. Delegated the authority to the Director of Place and the Director of Environment and Highways, in consultation with the Cabinet Member for Highways and Transport, to review and make local changes to these**

programmes during the course of the year taking into account local views and priorities.

4. Recommended that any changes made under Recommendation 1.3 will be sent to the relevant Overview and Scrutiny Committee to note.

Reason for decision: as outlined in the report
This decision is subject to call-in

21. Homeless Hostels, First Care and Crisis Intervention (Decision: 110513)

Councillor Johnson introduced the report and committed the Council's position of preventing homelessness across the borough. He clarified that there were currently three separate contracts dealing with homelessness which were all due to end in 2020. He stated that this report wanted to merge the three separate contracts into one, which would attract more companies to the contract and reduce overheads. He stated that the proposed contract would run for three years, beginning on 1 April 2020, and would cost £2.118million. Councillor Johnson discussed how the contract would combine housing management; including the two homeless hostels in Grays, with one more currently on the way; a floating support service; an intensive support service for those residents that were recurrently homeless; and a rough sleeper's outreach service. He stated that this contract would be reviewed against its Key Performance Indicators, and had been agreed at Housing Overview and Scrutiny Committee.

RESOLVED: That Cabinet:

1. Approved the procurement of the Homeless Hostels, Housing First and Crisis Intervention Service

2. Agreed to delegate authority for award of the contract to the Corporate Director of Adults, Housing and Health in consultation with the Portfolio Holder for Housing

Reason for decision: as outlined in the report
This decision is subject to call-in

22. Procurement of Disabled Adaptations Service (Decision: 110514)

Councillor Johnson introduced the report and stated this was procurement for two contracts, both of which allowed residents to live independently. He commented that the first contract was for stair-lift repair and maintenance, and the second contract was for major adaptations such as ramps and wet-rooms. He mentioned that although this service was mainly for housing stock, the new contract would include those residents who were eligible for disabled living grants. He summarised and stated that the contract would be reviewed against its Key Performance Indicators, had followed internal governance

process, and was for a contract worth £1.425million.

Councillor Little welcomed the report and added that this would mean savings for the council as if people remained in their homes, then they would not rely on assisted care facilities, which were expensive for the council to run. She also felt it was great for residents as many wanted to live as independently as they could for as long as possible.

RESOLVED: That Cabinet:

1. Agreed the proposed process for procurement of the Disabled Adaptations works and services for a period of up to five years for a contract with a whole life cost valued above £1,425,000

2. Approved delegation to award the contracts to the Corporate Director of Adults, Housing, and Health in consultation with the Portfolio Holder.

Reason for decision: as outlined in the report
this decision is subject to call-in

23. Water Mains Replacement Programme and Specialist Drainage Plumbing Works (Decision: 110515)

Councillor Johnson introduced the report and stated it was for the re-procurement of the water main replacement contract, which was due to end on 1 November 2019. He added that the new contract would be for three years with the possibility of a two-year extension and was worth £1million. He added that the contract would ensure water mains would be replaced in line with local water authority and EU guidelines, and would focus on areas such as Grays, Aveley and South Ockendon where iron barrel pipes were still used, which were older and prone to bursting. He stated that these would be upgraded within the next three years and would help residents with drainage issues and increase water pressure. He summarised and stated the contract would be reviewed in line with Key Performance Indicators and governance processes.

Councillor Little welcomed the report and stated that when water mains were replaced they could now be mapped. She also asked that when replacing water mains outside properties, if the company that won the contract could inform the highways team, so they could work together. The Leader stated that the current contract had been renewed for an additional five months, and asked that when a date had been set for procurement, it was not additionally extended, to ensure Cabinet received enough time to look at the procurement process.

RESOLVED: That Cabinet:

1. Agreed the proposed process to commence procurement of the contract for a period of up to five years for the water mains replacement programme and specialist drainage and plumbing repairs (three years

with an option to extend for up to two years in any combination subject to performance, programme and funding)

2. Agreed delegated authority to award the contract to the Corporate Director of Adults, Housing and Health in consultation with the Portfolio Holder.

Reason for decision: as outlined in the report
This decision is subject to call-in

24. End of Year Corporate Performance Report 2018/19

Councillor Huelin introduced the report and stated that compared to the End of Year Corporate Performance Report 2017/18, the percentage of people in education and training had increased; the number of potholes filled on time had increased; the number of new apprentices had increased; and the number of adoptions had also increased. She added that 68% of service targets were now being achieved, and there was a clear focus where service targets had not been met. She thanked the Corporate Overview and Scrutiny Committee for their hard work on these reports throughout the year and welcomed their comments. She stated that the Key Performance Indicators (KPIs) were ambitious, and stated that the direction of travel arrow showed Members and residents where the KPI was heading if it had not met target. She added that the Corporate Overview and Scrutiny Committee had recommended that underperforming KPIs be sent for closer inspection to the relevant overview and scrutiny committees, and added that a full review was currently being undertaken of failing KPIs to show how they were improving. She welcomed the suggestion from Corporate Overview and Scrutiny Committee of including a 'route to green' for every failing KPI and stated this would now be included, as well as timelines and guidance.

Councillor Watkins thanked all departments for their hard work in meeting KPI targets and stated that lots of work went into this throughout the year. He commented on the missed recycling KPI and stated that this was important for both Thurrock and central government and stated that many new schemes were being implemented across the borough to increase recycling rates. He discussed the new Recycling Project Officer who was new employed by the Council; the new communal waste trials; the communications Recycling Plan; and the new Working Group on recycling that had been agreed by Overview and Scrutiny to implement a new Recycling Strategy. Councillor Watkins then moved on to the missed KPI regarding graffiti that had increased on private property, although this was still included in the Council's KPI. He stated that a new plan and strategy was in place to deal with this, as well as the KPI for cleanliness. He finished by focusing on the missed bin collection KPI which had met target since October 2018 until June 2019, only missing one month which had been March 2019. He stated that changes had been made last year on this KPI and the council were now seeing the effect of this.

The Leader drew Member's attention to page 62 and the KPI regarding

payment rate of fixed penalty notices for littering, as this had not met target last year. He stated that although fines were high, the enforcement team were taking court action against those individuals who had not paid. He added that plans were now in place to identify those individuals who gave a false name and address, as their photos would now be published online. He also drew Members attention to page 65 of the agenda, which related to incidents of fly-tipping and thanked residents for their hard work in getting vehicle details of fly-tipping offenders and working with the council. He commented that in the past only one or two residents had reported an incident of fly-tipping, but this had now increased to eight or nine. He encouraged all residents to report fly-tipping when safe to do so, and stated that even if people fly-tipped on private property they could be prosecuted.

RESOLVED: That Cabinet:

- 1. Noted and commented upon the key corporate performance indicators for 2018/19**
- 2. Noted and commented upon the indicators and targets for 2019/20 and identified any areas which required additional consideration in the next monitoring cycle**
- 3. Noted the recommendations made by Corporate Overview and Scrutiny Committee as set out at paragraph 5.4 and considered them for implementation in report from Quarter 1 2019/20**

The meeting finished at 7.42 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk

4 September 2019		ITEM: 10 Decision: 110516
Cabinet		
Revenue Budget Monitoring – Quarter 1 2019/20		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance and Transformation		
Accountable Assistant Director: Jonathan Wilson, Assistant Director - Finance, Corporate Finance		
Accountable Director: Sean Clark, Director of Finance and IT		
This report is public		

Executive Summary

The 2019/20 budget was agreed by Council on 27 February 2019 and resulted in a Directorate budget envelope of £136.480m and, in addition to this, a surplus of £5.803m. This results in an overall budget envelope of £142.283m.

The position forecast at the end of June 2019 is a net pressure of £1.502m or 1.10% against the General Fund Directorate budgets. This reflects staffing pressures in Children's, domiciliary care and demographic growth cost pressures in Adults, Housing and Health.

Cabinet should note that, based on this forecast, the overall General Fund Budget still has a projected surplus of £4.301m. Officers continue to take action to meet the agreed Directorate budget envelopes and are confident that, as in previous years, this will be achieved.

There is a pressure in the High Needs Block on the Dedicated Schools Grant and the Housing Revenue Account is projected to breakeven.

1 Recommendations:

- 1.1 That Cabinet comment on the forecast outturn position for 2019/20 and support the need for further mitigation to outturn within the agreed budget envelope.**

2 Introduction and Background

2.1 In February 2019 Council agreed the 2019/20 budget in line with the balanced MTFS. The Authority continues to pursue an investment approach and to further identify efficiencies across all service areas through the strategic boards. The budget includes savings of £0.900m identified as part of the Council Spending Review.

2.2 The summary forecast position is set out below:

Summary position

Directorate	Revised budget	Forecast Outturn (Q1)	Variance to budget	Variance to budget
	£'000	£'000	£'000	%
Adults, Housing and Health	37,993	38,506	513	1.35
Children's Services	35,999	36,971	972	2.70
Commercial Services	723	723	0	
Corporate Costs	4,302	4,302	0	
Strategy, Communications & Customer Services	2,850	2,782	(68)	(2.39)
Environment and Highways	28,081	28,166	85	0.30
Finance, IT and Legal	11,431	11,431	0	
Housing General Fund	983	983	0	
HR, OD and Transformation	4,339	4,339	0	
Place	9,780	9,780	0	
Service Total	136,480	137,982	1,502	1.10
Central Financing	(111,688)	(111,688)	0	
Treasury	(24,792)	(24,792)	0	
Funding Total	(136,480)	(136,480)	0	
Total	0	1,502	1,502	

2.3 The report sets out the latest forecast position for 2019/20 across the main revenue accounts – the General Fund, Housing Revenue Account, Dedicated Schools Grant and Public Health grant.

3 General Fund

Adult Social Care - £0.513m overspend

3.1 Adults Social Care operate within a demand led environment and there remains concern around the impact of low volume high cost placements. These are predominately related to those people with complex learning disabilities or mental health conditions where options for appropriate support packages are limited and costly.

- 3.2 The delivery of Domiciliary Care remains a concern despite receiving additional funding through the Improved Better Care Fund. Although improving, there remains instability within the market with providers experiencing ongoing issues with recruitment and retention of staff. This is a situation which is being demonstrated nationally and it is recognised that the way in which homecare is delivered as a service needs to be transformed. Thurrock are trialling Wellbeing Teams in an attempt to redesign homecare and deliver sustainability on a long term basis.
- 3.3 A move to reduce the number of people currently awaiting domiciliary care packages has added cost pressures in the first quarter. A review of the waiting list arrangements will be undertaken at an operational level.
- 3.4 Providers within the Care Home sector have identified concerns with the fees received for placements made under Local Authority contract rates. One care home is due to close as it is not a financially viable model. A wider piece of work is underway to review the uplifts that have been awarded and if they are sufficient. The Local Authority have a duty to support stability within the marketplace.
- 3.5 Income generated from client contributions towards care packages can fluctuate due to the ongoing financial assessments and reviews carried out by the team to determine eligibility and ability to contribute. There has been a reduction in the number of clients fully funding their own care needs.

Children's Services - £0.972m overspend

- 3.6 The ongoing service review of children's social care and transport has identified options for improved service delivery with payback on investment over a 4 year period. Service improvements can be demonstrated linked to the investment made.
- 3.7 Staffing levels are being maintained to ensure appropriate caseload ratios and capacity to deliver the spend to save transformation initiatives.
- 3.8 Support for Looked After Children and young people subject to Child Protection plans remains a risk due to the demand led nature and high potential costs for individualised support packages. Placement budgets continue to be closely monitored with particular scrutiny of high cost placements made with external agencies.
- 3.9 The number of young people being accommodated under Section 20 of the Children's Act 1989 (where a child has come into care on a 'voluntary' basis and not as part of a court order) have been an historical pressure on the budget. Early intervention approaches delivered by the newly established Edge of Care Team should deliver a level of cost avoidance. The concern is that this will be difficult to quantify.
- 3.10 Spend on adoption and special guardianship orders will be closely monitored and regular payment reviews carried out to ensure financial pressures

experienced in previous years are not repeated. The change in contract arrangements for the Adoption service will be monitored as part of the Service Review process to assess its viability on a long-term basis and budgetary impact.

Environment & Highways - £0.085m overspend

- 3.11 The directorate deliver a number of high profile services, which are considered priorities for both Members and residents. The need to ensure the borough is well maintained is vital in attracting new businesses to the area and this can potentially lead to in-year budget pressures, particularly around the resources required in the clearance of fly tipping.
- 3.12 Waste disposal continues to be a financial risk for the Directorate due to the variable elements involved. These include levels of recycling achieved and related contamination levels as well as fluctuating costs of disposal.
- 3.13 The Directorate's reliance on agency staff to ensure consistent service delivery will again cause a budgetary impact but the ongoing work supported by HR to move staff to permanent positions should help mitigate this.
- 3.14 It is anticipated that a number of mitigating actions can be identified within the service following further scrutiny of the available finance and performance data.

Place – on target

- 3.15 A number of conditions surveys have been carried out on the Authority's assets and the Corporate Landlord team are working towards a planned maintenance programme. The scheduling of this work could potentially impact the 2019/20 budget position but this will be carefully managed.
- 3.16 Planning application income may not be achieved to the budgeted levels but further data analysis is required to understand the full potential impact across the service.
- 3.17 It is the intention to manage budget pressures within the overall allocated budget.

Finance, IT & Legal – on target

- 3.18 Income recovery for the Fraud Investigation team's work as part of a traded service arrangement with other local Authorities is an identified risk area. There are ongoing discussions with key partners to resolve this and further updates will be presented in future reports.

HROD – on target

- 3.19 The Directorate is currently forecasting to come in within budget with no major pressures to report.

Strategy, Communications & Customer Services – £0.068m underspend

- 3.20 The Directorate is forecasting an underspend in Customer Services mainly within employee budgets.

Commercial Services – on target

- 3.21 The Directorate is currently forecasting a small underspend with no major variances to report.

Corporate Costs – on target

- 3.22 This budget covers a number of corporate expenditure items including housing benefit subsidy, council tax and business rate precepts, the annual contribution to the Essex Pension Fund to meet the current actuarial deficit and the allocation for the Minimum Revenue Provision. The budget is projected to meet budget at the end of quarter 1.

Housing General Fund – on target

- 3.23 Temporary Accommodation provision and Homelessness support have been subject to changes in legislation regarding the Local Authority's responsibilities to support anyone who presents themselves as homeless. Additional staffing resource has been allocated to support this area but the ability to manage demand for services remains an area of concern.
- 3.24 Income recovery for the three Travellers' sites will be closely monitored and the Debt Recovery Team will assist in the collection of monies owed to the Local Authority.

Treasury & Financing – on target

- 3.25 Planned investment targets have been achieved. There remains a pressure relating to net income from TRL schemes but officers continue to identify mitigating action.

External Income

- 3.26 Commercial Board set a target for external income generation to the general fund of £14.0m in 2019/20. This is through a combination of fees and charges and traded services and detailed schedules have been submitted to earlier Cabinet meetings.
- 3.27 At the end of Quarter 1 the full year forecast for external income is £0.388m below target for fees and charges and £0.281m below target for traded services:

Fees & Charges			
Directorate	Commercial Board target	Forecast	Variance
	£000	£000	£000
Adults, Housing and Health	(369)	(296)	73
Children's Services	(1,088)	(922)	166
Environment and Highways	(2,647)	(2,329)	318
Finance, Information Technology and Legal	(100)	(70)	30
Housing General Fund	(415)	(415)	0
Place	(3,111)	(3,309)	(198)
Total	(7,729)	(7,341)	388

Traded income			
Directorate	Commercial Board target	Forecast	Variance
Children's Services	(3,811)	(3,761)	50
Environment and Highways	(580)	(580)	0
Finance, Information Technology and Legal	(1,286)	(1,133)	153
HR, OD and Transformation	(338)	(338)	0
Place	(34)	(28)	6
Strategy, Communications & Customer Services	(225)	(152)	73
Total	(6,274)	(5,993)	281

- 3.28 Children's Services are projecting pressures within fees and charges due to lower than expected income for Grangewaters Outdoor Activity Centre and nursery provision. Grangewaters is anticipating an improvement to their position as they seek to make a number of corporate bookings. Both these areas will have corresponding reductions in expenditure to minimise the overall budgetary impact.
- 3.29 Environment & Highways have a shortfall projected in Highways Infrastructure of £0.318m but it is felt that with further analysis of the available performance data that this position may improve in the next quarter.
- 3.30 Finance, IT and Legal have forecast pressures within their traded services of £0.153m predominately due to a number of schools converting to academies. Commercial Services have recently recruited a Business Development Officer dedicated to school activity with the intention to review all current arrangements and to assist in the implementation of recovery plans where possible.

3.31 All the above pressures have been reflected in the overall budgetary position and will be closely monitored by Corporate Finance and the individual service areas.

3.32 The risk to Fraud income recovery should be noted as per paragraph 3.20.

4 Housing Revenue Account

4.1 Repairs and Maintenance costs related specifically to electrical testing have been identified as an in-year pressure. This is due to an aging housing stock and the need to carry out responsive repairs outside of the planned programme. Consequently there will be a rise in the level of void properties whilst the works are carried out and this will be reflected in the rent account once quantified.

4.2 The introduction of Universal Credit has led to a small increase in rent arrears. Measures are in place to mitigate the impact of this and approval has been sought from Digital Board to allow the implementation of a new software system. The cost of this will be contained within the HRA and a review of the bad debt provision will be carried out as a separate exercise. This is not currently shown as a pressure in the financial forecast as further analysis is being undertaken to quantify the full impact.

4.3 The financial pressures identified will be managed overall within the existing budgets as set out below:

Summary position:

Service	2019-20 Budget	Forecast Outturn (Jun-19)	Variance to budget
	£'000	£'000	£'000
Development	178	178	0
Financing and Recharges	23,681	23,311	(370)
Repairs and Maintenance	12,126	12,496	370
Supervision and Management	12,357	12,357	0
Rent and Income	(48,342)	(48,342)	0
	0	0	0

5 Dedicated Schools Grant

5.1 Thurrock continues to see a rise in the number of children and young people with Special Education Needs and Disabilities (SEND) and Education, Health & Care Plans (EHCP's). Additional provision is required to support these young people in an educational setting and this is funded through the High Needs Block of the DSG.

5.2 This area remains a pressure for a significant number of Local Authorities due to a combination of factors, these include; population growth, advances in medicine (which means children born prematurely or with disabilities survive and live longer than before with more complex needs), increased diagnosis of some conditions (e.g. autism) and increased parental expectations about the support their child should receive. Current projections indicate pressures of £0.285m. The table below reflects the updated 2019/20 DSG allocation:

2019/20	Funding Settlement	Academy Recoupment	DSG	Forecast Outturn	Variance
	£'000	£'000	£'000	£'000	£'000
Schools	118,839	(104,615)	14,224	13,980	(244)
Central Services	2,073	0	2,073	2,073	0
High Needs	23,863	(5,226)	18,637	19,166	529
Early Years	11,570	0	11,570	11,570	0
Total	156,345	(109,841)	46,504	46,789	285

5.3 The DSG reserve has a carried forward deficit of £2.657m into 2019/20. The approved movement from the Schools Block to the High Needs Block of £1.248m will reduce the balance to £1.409m in 2019/20. Information gathered by the Local Government Association found that 97% of Local Authorities expect there to be High Needs Block deficit. This is a key issue which needs to be addressed as part of the spending review. Officers continue to work with the Schools' Forum to reduce this deficit still further.

6 Public Health Grant

6.1 The Public Health Grant was subject to a further reduction in 2019/20 and this equated to £0.292m. Over the last three years this grant has been reduced by £0.869m. The allocation for 2019/20 is £10.7m.

6.2 The team have are managing staffing cost pressures within the in-year grant allocation but note there may be an impact on the level of public health initiatives elsewhere within their service.

6.3 The ring-fence conditions attached to this grant are due to end within the next two years and the service will then become part of core funding arrangements.

7 Reasons for Recommendation

7.1 The Council has a statutory requirement to set a balanced budget annually. This report sets out the budget pressures in 2019/20 along with actions to mitigate these pressures and deliver a breakeven position.

8 Consultation (including Overview and Scrutiny, if applicable)

8.1 This report is based on consultation with the services, Directors' Board and portfolio holders.

9 Impact on corporate policies, priorities, performance and community impact

9.1 The implementation of previous savings proposals has already reduced service delivery levels and the council's ability to meet statutory requirements, impacting on the community and staff. There is a risk that some agreed savings and mitigation may result in increased demand for more costly interventions if needs escalate particularly in social care. The potential impact on the council's ability to safeguard children and adults will be kept carefully under review and mitigating actions taken where required.

10 Implications

10.1 Financial

Implications verified by: **Jonathan Wilson**
Assistant Director Corporate Finance

The financial implications are set out in the body of this report.

Council officers have a legal responsibility to ensure that the Council can contain spend within its available resources. Regular budget monitoring reports continue to come to Cabinet and be considered by the Directors Board and management teams in order to maintain effective controls on expenditure during this period of enhanced risk. Measures in place are continually reinforced across the Council in order to reduce ancillary spend and to ensure that everyone is aware of the importance and value of every pound of the taxpayers money that is spent by the Council.

10.2 Legal

Implications verified by: **Tim Hallam**
Acting Head of Law, Assistant Director of Law and Governance, and Monitoring Officer

There are no direct legal implications arising from this report.

There are statutory requirements of the Council's Section 151 Officer in relation to setting a balanced budget. The Local Government Finance Act 1988 (Section 114) prescribes that the responsible financial officer "must make a report if he considers that a decision has been made or is about to be made involving expenditure which is unlawful or which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency to the authority". This includes an unbalanced budget.

10.3 **Diversity and Equality**

Implications verified by: **Becky Price**
Community Development and Equalities

There are no specific diversity and equalities implications as part of this report.

10.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children)

There are no other implications arising directly from this update report.

11 **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

There are various working papers retained within the finance and service sections.

12 **Appendices to the report**

None

Report Author

Joanne Freeman

Senior Management Accountant

Corporate Finance

4 September 2019	ITEM: 11 Decision: 110517
Cabinet	
Grays Town Centre Regeneration: Civic Offices Project Position Statement	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Mark Coxshall, Portfolio Holder, Regeneration and Strategic Planning	
Accountable Assistant Director: Detlev Munster, Assistant Director Property & Development	
Accountable Director: Andy Millard, Interim Corporate Director Place	
This report is Public	

Executive Summary

At its meeting on 19 July 2019 Council agreed the following motion;

“Thurrock Council notes opposition to the proposed plans to redevelop the Civic Offices. Thurrock Council calls on Cabinet to abandon this costly and unnecessary project.”

The Corporate Overview & Scrutiny Committee also asked for further information on the scheme as follows;

- The impact of spending c£10m on the local economy or other areas of the Council’s budget;
- Details of final design costings;
- The amount of capital that could be spent elsewhere if the project was cancelled;
- Further details of the housing element of the scheme.

The above points were considered by Corporate Overview and Scrutiny at its meeting on 3 September 2019 and a verbal update by the Portfolio Holder will be provided to Cabinet at its meeting on 4 September.

In response to the council motion and questions raised, this report provides a statement on the current position of the Grays Town Centre Regeneration - Civic Offices Project and provides a summary of the business justification and authorisations taken to reach this position.

The summary laid out in detail in this report which covers all the points raised above, is that this Position Statement demonstrates that the proposed Civic Office extension provides the best value for money to the residents of Thurrock as well as offering the best opportunity improve the quality of the townscape for the future and enable significant regeneration of Grays, an ambition described in the masterplan for the Town since 2014.

1. Recommendations

That Cabinet:

- 1.1 Note the contents of this report and recommend how they wish to proceed with the Civic Offices element of the Grays Town Centre Regeneration programme, having regard to any comments provided by the Corporate Overview and Scrutiny Committee at their meeting held on 3 September.**

2. Background

Civic Offices Project Objectives

- 2.1 The Civic Offices Project is one of the key elements of a Thurrock-wide £6.6billion investment programme of which over £200m will be spent in the Grays area reaching from the side of the Thames to the Thameside complex. The Grays Town Centre Regeneration programme will redevelop key parts of Grays, and will provide new community facilities, additional new housing and contribute to creating a vibrant town centre alongside private sector partners. As part of this, the Civic Offices project will provide a modern, effective building in which our residents can easily access key services. The more efficient design and operation of the building should also generate revenue savings, with reduced ongoing maintenance and energy running costs, together with the opportunity to provide much needed new housing.
- 2.2 The Civic Offices Project has a number of stated objectives and benefits which it will deliver, or contribute to, as follows;
 - Support and contribute to the aims and ambitions of the South Grays Development Framework which includes the building of a new pedestrian underpass and regeneration of the High Street.
 - Vacating of the older CO1 site which will free up land to be developed for town centre residential accommodation.
 - Provide a better and more efficient customer service experience including embracing new technology and channel shift to self-service which should allow staff resources to be focused on serving and assisting our most vulnerable residents when they visit the Civic Centre.
 - Sensitive and respectful treatment for visitors including providing a secure area for homeless visitors to store luggage
 - Wi-fi enabled learning space available into the evening

- Rooms available for community hire in a central and well known location
- Provide a new café with outdoor seating area helping to create a community ethos and positive environment for users
- Relocate the registrar's service from Thameside Complex to a more accessible and desirable location in a high street position, with reduced running costs and provide a much improved environment and more modern facilities, for this important public service. In turn, this will create further options for the redesign and improved provision for the Thameside Complex as a regional arts/culture hub.
- Obtaining best value for money and making revenue savings through a more energy efficient design and by replacing costly and obsolete heating and ventilation systems as well as the inefficient and out-dated council chamber and equipment, and to generate income through better utilisation of the building including making meeting spaces available for hire/rent.

Summary of the Development of the Project

- 2.3 The 2013 refurbishment programme of the Civic Offices, which cost £2.74m only focused on the council staff areas and failed to bring forward plans to improve the resident/customer experience in the ground floor area of CO2 and excluded the whole of CO1, most of which has been empty since then whilst incurring further costs. A capital budget of £4.8m was left unspent at the end of the refurbishment programme in 2015 as no works were carried out to the ground floor of CO2 and the whole of CO1.
- 2.4 Options were explored which took into account the ambitions of the Grays Masterplan, and the Council's desire to provide a modern and more efficient customer interface. The options showed that the layout of CO1 would require re-planning and structural changes, therefore the building of an extension to CO2 gave the best overall value for money costing a net £1.22m less than the full CO1 refurbishment option. This is shown in table A below.

Table A

Option	Cost* (*2017 estimates)	Return from CO1 development	Total cost to Thurrock Council of the option
1. Full refurb CO1 and CO2 ground floor	£6.40m ¹	£0	£6.40m
2. Build extension and develop CO1 for residential	£7.98m ²	£2.8m ³	£5.18m

¹ LSH March 2017 p24

² LSH August 2017 p33

³ LSH March 2017 p31 £2.7m; LSH August 2017 p7 increased to £2.78m

- 2.5 Taking into account the unspent capital refurbishment budget of £4.8m and the estimated returns of £2.8m from residential development on CO1, there remained a shortfall of £380k for the extension project. This additional capital funding was approved by Cabinet in November 2017 (see Table B below) to complete the funding required.

Mulberry Sq, C02 & C01	Cost	Existing Budget	Net Income	Additional capital required
New build - public facing	£6.84m			
Refurbished - civic	£1.14m			
Existing Civic Offices refurbishment budget		(£4.8m)		
New build residential			(£2.8m)	
Approved by Cabinet Nov 2017				£0.38m

- 2.6 Changes to BREEAM (Building Research Establishment Environment Assessment Method) regulations introduced in 2018 required some aspects of the civic office designs to be reconsidered to meet those new regulations. Furthermore, recommendations from CABE (Commission for Architecture in the Built Environment) stated that the new building should instil civic pride and should set the tone for future development in the Town Centre.
- 2.7 A report was presented to Corporate Overview and Scrutiny at its meeting in November 2018 which identified a range of additional options to be considered for the Civic Offices build project, in light of the changes to the BREAM regulations that year. The committee reviewed all the additional proposals and agreed to recommend a suite of items to Cabinet for its consideration, these changes totalled £1.8m in further expenditure. In addition, the committee noted its support of the designs and stated that they were of good quality. The recommendations from Corporate Overview and Scrutiny to Cabinet showed support for all proposed changes. At its meeting in December 2018, Cabinet reviewed the recommendations from Corporate Overview and Scrutiny and agreed to support all of them, and additional capital expenditure of £1.8m.

Table C

	Build Cost	Net Income	Existing Budget
Detailed design to BREEAM Outstanding	£9.78m		
New build residential on CO1		(£2.80m)	
Existing Civic Offices refurbishment budget			(£4.80m)
Existing Service Review and Property Related Budgets			(£2.18m)

2.8 For the sake of accurate comparison, the cost figures given in Table A above would need to be adjusted to take into account inflation (3% p.a. average) and a pro-rata amount to meet current BREEAM standards (6% of build costs). This increases the cost of refurbishing CO1 to £7.2m at today's prices. By comparison, an extension will cost £9.78m less returns of £2.8m (generated as a result of freeing up CO1 for residential development) giving a net cost to the Council of £6.98m. Therefore the building of an extension to CO2 represents the best overall value for money option for the Council costing £220k less than the full refurbishment of CO1 and bringing a package of benefits not attainable under a refurbishment scheme.

Table D

Option	Cost* (*updated for 2019)	Return from CO1 development	Total cost to Thurrock Council of the option
1. Full refurb CO1 and CO2 ground floor	£7.2m	£0	£7.2m
2. Build extension and develop CO1 for residential	£9.78m	£2.8m	£6.98m

In addition to the above, industry calculations comparing the running costs of a modern BREEAM Outstanding rated building against those of a thirty year old building show an expected saving on running costs of around 30% per annum.

Current position

- 2.9 **Contract:** A Preconstruction Services Agreement contract was signed at the end of April 2019 which will provide the final detailed costing information based on the RIBA Stage 3 designs. This will allow works to begin as soon as planning consent is obtained and vacant possession of the properties at 1-3 New Road and 81-83 High Street has been achieved. At this point in time, the cost for the civic offices remains as previously reported at £9.78m.
- 2.10 **Planning:** The final design for an extension to the Civic Offices was submitted as a planning application in May 2019. A report with a recommendation of approval from officers was made to the August meeting of the Planning Committee. At that meeting, a decision on the application was deferred until September.
- 2.11 **Land Assembly:** Acquisition of the properties at 1-3 New Road and 81-83 High Street was highlighted as a requirement of the original Grays master plan of 2014/15. Negotiations with the previous freeholder of the properties have concluded and the council has now acquired by private treaty the freehold. This is an important requirement of the Grays Town Centre Regeneration Scheme as, should the land not be used by the Civic Offices for any reason, it will still be required for other elements of the Scheme such as

the new pedestrian underpass, a point clearly identified in the earlier versions of the masterplanning for Grays. Negotiations are continuing with the business occupiers of the properties to achieve vacant possession by private treaty and to facilitate potential relocation opportunities, as required.

- 2.12 **CO1 Housing:** Schemes to provide housing on the CO1 site continue to be investigated. The site is challenging due to the generally low land values requiring detailed consideration be given to the right type and mix of any development. It is recognised that development of CO1 needs to take a holistic approach to ensure alignment with the wider Grays town centre regeneration framework as well as maximising development returns. It is anticipated that the CO1 site could yield in excess of 80 residential units (including Council homes).
- 2.13 **Thameside:** Although early options linked the future of the Thameside Complex with the future of the Civic Offices, the emerging Culture, Arts and Heritage strategy has highlighted the need for a regional arts centre. The future of Thameside is therefore being considered in its own right. The Registrars Service will be relocated from the Thameside Complex and benefit from a more modern fit-out and improved accessibility in a more prominent, High Street position in the new Civic Offices. A separate report will be presented to Corporate Overview & Scrutiny at its meeting on 19th November 2019 before going to Cabinet on 11th December 2019.

Do nothing option

- 2.14 A 'do-nothing' option does not exist for CO1 and the ground floor of CO2 as plant and equipment is at the end of its economic life and statutory compliance for building safety needs to be maintained. This has been the situation since the original budget was set for the civic offices refurbishment in 2013. A budget of £4.8m was set aside at the time to look at refurbishment but no plans were brought forward.
- 2.15 If the council decided to refurbish the existing CO1 building as opposed to building a new extension to CO2, additional capital funding of around £2.4m would be required to bring the existing £4.8m budget up to the required £7.2m based on the updated figures in table D in paragraph 2.8. Therefore there will be no capital released for spending elsewhere in the council's budget should the building of the new extension be halted. Moreover, if the extension scheme were to be abandoned, the benefits mentioned elsewhere in this report, such as the opportunity to provide town centre affordable housing, the refurbishment of Thameside Complex, an improved and more effective centre for council operation for residents, and a major contribution to the overall redevelopment of the town centre, would be lost. It is worth noting that less than half (41%) of comments received at the public consultation event in February 2019, disagreed that the building would bring benefits and enhance the surrounding area. In essence, the council would not be delivering on its approved Grays Masterplan which has been subject to extensive consultation with residents and businesses over the last 5 years.

2.16 The question about what else could this funding be used for was previously asked at a Corporate Overview and Scrutiny Committee. Even working on the basis that the proposed scheme versus the refurbishment is cost neutral, there have been no capital schemes put forward during the budget setting process that have been refused due to a lack of available funding.

3. Consultation (including Overview and Scrutiny, if applicable)

3.1 A wide range of consultation has been carried out over the course of the Civic Office Project. Consultees have included;

- Residents and local business
- St Peters & St Pauls Church
- South Essex College
- Thurrock CVS
- Clinical Commissioning Group
- Essex police
- Staff Networks (BME, Disability, Mental Health and Womens)
- Overview & Scrutiny committees.

Consultation has taken place both formally and informally using electronic means, social media, press releases and public exhibitions. A dedicated week-long public event took place from 11-16 February 2019 in the civic office reception area and at Grays Shopping Mall attended by over 100 people. Officers and architects were on hand to answer questions from the public and collect feedback. At the same time the council's online portal published details of the scheme and reached an audience of 60,000 via facebook and Twitter.

4. Impact on corporate policies, priorities, performance and community impact

4.1 Previous reports have noted that the Civic Office Project supports the delivery of a number of corporate priorities as stated in paragraph 2.2 above.

5. Implications

5.1 Financial

Implications verified by: **Mark Terry**
Senior Financial Accountant

The financial statements made in the above position statement report have been reported previously and the financial implications were confirmed accordingly. There have been no changes in the financial commitments of

£9.78m reported to Cabinet in December 2018 and this funding remains in place to complete the project.

As stated in the body of the report, it is unlikely that there would be further funds freed up due to the abandonment of this project and no schemes have been refused due to this project being progressed.

5.2 Legal

Implications verified by: **Tim Hallam**
**Acting Head of Legal, Assistant Director
Law and Governance and Monitoring
Officer**

There aren't any specifically legal points raised in this report. External legal advice has been procured to support this project around land acquisition, dealing with easements/covenants and fulfilling planning obligations. The external legal team is to be retained until all necessary land is acquired.

5.3 Diversity and Equality

Implications verified by: **Natalie Warren**
**Strategic Lead: Community
Development and Equalities**

Consultation to date has included the council's in-house networks and the Corporate Workforce Group. However, all new build and interior design will meet or exceed current access and use standards. Diversity and Equalities issues will need to be addressed through a Community & Equality Impact Assessment informed and developed by appropriate stakeholder engagement during the ongoing stages.

5.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children)

None

6. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

Grays Town Centre: Civic Offices Project: Cabinet report November 2017
<https://democracy.thurrock.gov.uk/documents/s13575/Grays%20Town%20Centre%20Civic%20Offices%20Project.pdf>

Grays South Regeneration: Civic Offices Project: Corporate Overview and Scrutiny Committee report November 2018

<https://democracy.thurrock.gov.uk/documents/s22392/Grays%20South%20Regeneration%20Project%20Civic%20Offices%20Update.pdf>

Grays South Regeneration: Civic Offices Project: Cabinet report December 2018

<https://democracy.thurrock.gov.uk/documents/s22658/Grays%20South%20Regeneration%20-%20Civic%20Offices%20Project.pdf>

7. Appendices to the report

None

Report Author:

Vincent Waddams

Senior Project Manager

Corporate Programme Team

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4 September 2019	ITEM: 11
Cabinet	
Proposal to Adopt S34 Duty of Care for Domestic Waste; and S42 Idling Engines in Parked Vehicles	
Wards and communities affected: All	Key Decision: Non Key
Report of: Councillor Rob Gledhill, Cabinet Member for Public Protection and Anti-Social Behaviour	
Accountable Assistant Director: Daren Spring, Assistant Director for Street Scene and Leisure	
Accountable Director: Julie Rogers, Director of Environment and Highways	
This report is Public	

Executive Summary

The Department for Environment, Food and Rural Affairs (DEFRA) has published guidance which has been addressed to local authorities, who are now able to issue fixed penalty notices (FPN's) for breaching the duty of care for household waste in England under the provisions of the Environmental Protection Act 1990.

Secondly, the Road Traffic (Vehicle Emissions) England Regulations 2002 enables local authorities to request vehicle users to switch off their engines when parked and to issue Fixed Penalty Notices to those who refuse to co-operate. The aim is to reduce polluting emissions from unnecessary engine idling.

This report seeks approval from Cabinet to adopt the power to issue FPN's for domestic waste duty of care breaches and to adopt the power to issue FPN's to persons who refuse to switch off their vehicle engines whilst parked and after being requested to do so.

- 1. Recommendation(s)**
 - 1.1 Cabinet to approve the adoption and enforcement of S34 – Duty of Care for domestic waste.**
 - 1.2 Cabinet to approve the adoption and enforcement of S42 – Idling engines in parked vehicles.**
- 2. Introduction and Background**

- 2.1 The Environmental Enforcement Service seek approval to adopt two new powers to enable them to issue Fixed Penalty Notices (FPNs) for breaches of:
- Domestic Waste Duty of Care
 - Failing to switch off engines in a stationary vehicle (Idling)
- 2.2 It is important for publicity to be carried out and for the Council to work with schools before the scheme is implemented to ensure that it is understood by the majority of motorists. This will be publicised on the Council website, through press releases and via social media.

3. Issues, Options and Analysis of Options

3.1 Duty of Care for Domestic Waste

3.1.1 Householders must ensure that household waste is properly disposed of at all times, which includes waste from domestic properties, caravans and residential homes.

3.1.2 Householders must fulfil the duty of care and ensure that:

- The person who takes control of their waste is licensed to do so.
- Take steps to prevent it from escaping from their control.
- Store it safely and securely.
- Prevent it from causing environmental pollution or harming anyone.

3.1.3 Guidance from Government states that FPN's can be issued when an individual appears to have failed to comply with their duty of care under section 34(2A) of the Environmental Protection Act 1990 in England. For example:

- Where fly-tipped waste can be traced back to an individual who is found to have failed to take reasonable steps to ensure that they transferred the waste to an authorised person
- Where an unauthorised carrier is found to be carrying household waste that was directly transferred to them by the occupier of a domestic property
- Where an individual is found to have transferred their household waste to an unauthorised person at a site that does not have a permit or exemption

3.1.4 The FPN for such breaches of the household waste duty of care provides an alternative to prosecution. It allows an individual to discharge liability for the duty of care offence by payment of a financial penalty. The duty of care requires occupiers of domestic property to take all reasonable measures available to them in the circumstances to ensure that they only transfer household waste produced on that property to an authorised person. This

reduces the chance of waste ending up in the hands of those who would fly-tip it.

- 3.1.5 The resident should take steps to check the waste carrier is registered with the Environment Agency web site, record details of vehicles that removes waste, record details of the waste carrier/contact details/receipts.
- 3.1.6 The penalties applicable are minimum £150 and maximum £400. It should be noted that Thurrock Council always seek the maximum penalty due to the wide spread effect that fly tipping has on our local communities, members of the public and environment.
- 3.1.7 There is no right of appeal against an FPN issued as it simply offers an optional means of discharging liability for the offence. However, liability for that alleged offence can be disputed or the appropriateness of enforcement challenged.
- 3.1.8 Although legislation already existed to enforce offenders who breach their duty of care in respect of waste generated from domestic property's, the powers were enforced by reporting offenders for prosecution through a criminal court in accordance with section 34 and/or section 33 of the Environmental Protection Act 1990 regarding the fly tipping of household waste.

The new powers allow fixed penalty notices to be issued for breaches of duty care in respect of household waste. This provides offenders with the opportunity to discharge their liability to conviction by making payment of an FPN, as opposed to offenders being summonsed to attend court with the possibility of receiving a criminal record and upon conviction the fines could be far higher than the fixed penalty notice. Also, the Council will always seek to recover all costs incurred from the offenders, in bringing the matter to court. Issuing these type of FPN's will also prevent the courts from being overburdened with these type of cases, which can be dealt with by issuing a fixed penalty notice in the first place where appropriate.

3.2 Idling Engines in a parked vehicle

- 3.2.1 It is a requirement of Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986, as amended, that drivers switch off engines in parked vehicles. Local Authorities can use the power to carry out enforcement of the offence in an effort to address the growing concerns about pollution and the environment by reducing unnecessary exhaust emissions from vehicles. The guidance encourages that a common sense approach should be followed when using these powers. FPNs should only be issued when a driver is uncooperative and refuses to switch off their engine when requested to do so by an authorised officer.

- 3.2.2 Local authorities will be able to instruct motorists to switch off their engines while their vehicles are parked and to issue FPN's to those who refuse to co-operate. The powers are designed to encourage all motorists to have due regard to the local environment when parking. Emissions from stationary vehicles are only a small contributor to overall levels of air pollution, but they can cause discomfort to people in the immediate vicinity, particularly where they occur in sensitive areas such as schools or hospitals.
- 3.2.3 Guidance issued by the Secretary of State for Transport in 2002 ("Guidance on powers to require drivers to switch off engines") under section 88 of the Environment Act 1995 states that FPNs would mainly be used as a deterrent and should be issued only as a last resort. FPNs would be issued in limited circumstances, and only if a driver refused to turn their vehicle engine off when asked to do so by an authorised officer of the Council.
- 3.2.4 Regulation 98(2) of the Road Vehicles (Construction and Use) Regulations 1986 sets out the circumstances where vehicles are permitted to be stationary with the engine running:
- When vehicles are queuing at traffic lights,
 - Where an engine is being run so that a defect can be traced and rectified,
 - Where machinery on a vehicle requires the engine to be running e.g. where the engine powers refrigeration equipment or the compaction equipment in a refuse vehicle.
- 3.2.5 The regulation stipulates the penalty for an offence is £20, which will increase to £40 if not paid within 28 days. There is no discretion to amend the charge.
- 3.2.6 A further FPN could be issued if a vehicle is found stationary during the initial 28 day period with its engine running unnecessarily on a second or subsequent occasion. The offence is absolute and applies equally on every occasion the offence occurs.
- 3.2.7 Recipients of an FPN do have the right to challenge this type of fixed penalty notice, which must be done through a magistrate's court within 28 days of the fixed penalty notice being issued. The Council will accept representations from recipients of an FPN, which will be reviewed and responded to accordingly.

4. Reasons for Recommendation

- 4.1 This report seeks support and approval from Cabinet to adopt the section 42 idling engines in parked vehicles; and S34 Duty of Care for Domestic Waste, in providing authorisation to the enforcement service to issue fixed penalty notices in respect of breaches of these regulations.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 This report was presented to Cleaner, Greener and Safer Overview and Scrutiny Committee on the 4 July 2019, where the committee recommended the adoption of these powers to Cabinet.

6. Impact on corporate policies, priorities, performance and community impact

6.1 The Air Quality and Health Strategy, adopted in December 2016, shows that transportation, in particular emissions from motor vehicles, accounts for approximately 45% of the emissions and particulates which contribute to poor air quality and impacts on the health of residents.

This measure is listed as Action 16, Engine Switch-Off Zone and is anticipated to be most effective if targeting the 18 air quality management areas declared within Thurrock, where residential dwellings are in close proximity to idling traffic and where people are likely to experience long-term exposure, such as a workplace, or those who are vulnerable to impacts on their health by emissions and particulates – in particular children and the elderly and those with long-term health problems.

Idling nearby schools or care homes would have the most harm on the health of the buildings occupants, as well as residential dwellings which maybe nearby those facilities or are in close proximity to heavily congested areas such as level-crossings.

With careful consideration of where these powers are used, they have the potential to make a significant improvement on the health and wellbeing of our communities.

6.2 Ensuring that household waste is properly disposed of at all times, has the potential to contribute toward reducing the number of fly tips in the borough, through a reduction in the use of unauthorised carriers. This contributes to a cleaner environment that everyone has reason to take pride.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant (Environment)

There are no direct budget implications at this stage as the measures proposed including setting fixed penalty notices at the maximum allowable amount would mean the service delivering on a cost neutral basis.

7.2 Legal

Implications verified by: **Adam Rulewski**

Barrister- Litigation and Prosecutions Law and Governance

The Local Authority has a duty to prevent crime and disorder (s17 Criminal Justice Act 1988). The Local Authority has wide-ranging powers and duties under The Environmental Protection Act 1990, Anti-Social Behaviour Crime and Policing Act 2014, Town and Country Planning Act 1990, Building Act 1984, Highways Act 1980, Traffic Management Act 2004 and related subordinate and primary legislation, to address those areas of responsibility.

Where it is necessary or expedient to protect or promote the interests of the inhabitants of its area, the Local Authority may institute proceedings (s222 Local Government Act 1972)

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Officer

A zero tolerance approach taken will ensure that all offenders who commit offences will be penalised consistently regardless of any protected characteristics as defined by the Equalities Act 2010.

Concessions are made for young people under 16 and those who are classified as vulnerable including those who suffer from relevant mental health conditions.

A Community Equality Impact Assessment will inform any further actions required to ensure fair enforcement.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, or Impact on Looked After Children)

The proposals in this report directly contribute to the achievement of Thurrock's Statutory Health and Wellbeing Strategy Goal 2, which focusses on providing Thurrock residents with a Healthier, Safer and Accessible Environment within which to exercise and remain active.

Objective 2D of the Health and Wellbeing Strategy provides a commitment to improving the air quality in Thurrock. Cabinet providing approval to adopt and enforce S42 regulations – Idling engines in parked vehicles will contribute toward improving air quality and reinforce the work undertaken last year by Woodside Academy and Purfleet primary school on raising awareness of the impact of idling vehicles on the health of children outside of schools.

Cabinet approval to adopt and enforce S34 regulations – Duty of Care for domestic waste will demonstrate the Council's commitment to reducing wider pollution within Thurrock and will be reflected in the Health and Wellbeing Strategy for the Health and Wellbeing Board's consideration.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

9. Appendices to the report

- N/A

Report Author:

Phil Carver

Strategic Lead for Environmental Enforcement and Community Protection

Environment and Highways

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4 September 2019	ITEM: 13
Cabinet	
Quarter 1 Corporate Performance Report 2019/20	
Wards and communities affected: All	Key Decision: Non-key
Report of: Councillor Deborah Huelin, Cabinet Member for Central Services and Communities	
Accountable Assistant Director: n/a	
Accountable Director: Karen Wheeler, Director of Strategy, Communications & Customer Services	
This report is public	

Executive Summary

This is the first corporate performance monitoring report for 2019/20.

At this early stage in the year, this is a very positive report as overall almost three quarters of indicators are currently achieving target and 53.5% are better than the previous year.

This report provides a progress update in relation to the performance of those KPIs, including a focus on some specific highlights and challenges. Of particular note are the significant achievements in customer services and the consistently improved and on target performance relating to bin collections.

This report details the statistical evidence the council will use to monitor the progress and performance against the council's priorities. For 2019/20, these set of indicators were agreed by Cabinet in July 2019.

This report went to Corporate Overview and Scrutiny Committee on 3 September 2019, feedback from which will be raised at this meeting.

- 1. Recommendation(s)**
 - 1.1 To note and comment upon the performance of the key corporate performance indicators in particular those areas which are off target**
 - 1.2 To identify any areas which require additional consideration**

2. Introduction and Background

- 2.1. The performance of the priority activities of the council is monitored through the Corporate Key Performance Indicator (KPI) framework. This provides a mixture of strategic and operational indicators.
- 2.2. The indicators have been chosen to be as clear and simple to understand as possible, whilst balancing the need to ensure the council is monitoring those things which are of most importance, both operationally and strategically.
- 2.3. This reflects the demand for council services increasing and being ever more complicated and the need for a holistic approach to monitoring data and intelligence. Analysis of performance and internal processes at service level by Directors continued monthly throughout 2018/19 and will continue throughout 2019/20.
- 2.4. These indicators will continue to be reported to both Corporate Overview and Scrutiny Committee and on to Cabinet on a quarterly basis, throughout 2019/20.
- 2.5. In line with the recommendation from Corporate Overview and Scrutiny Committee in June 2019, throughout 2019/20, where performance is below target, commentary will be included to show the intended improvement plan. This is included in Section 3.5 as the “Route to Green”.

3.1 Issues, Options and Analysis of Options

- 3.1.1 This report is a monitoring report, therefore there is no options analysis.

3.2 Summary of Corporate KPI Performance

Quarter 1 2019/20 Performance against target		Direction of Travel compared to 2018/19	
Achieved	73.8% (31)	↑ BETTER	53.5% (23)
Failed	26.2% (11)	→ STATIC	20.9% (9)
		↓ WORSE	25.6% (11)

This is higher than the 67.5% overall percentage achieving target in 2018/19.

3.3 On target performance

Three quarters of corporate KPIs achieved their end of year targets.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Quarter 1	Quarter 1 Target Status	Direction of Travel since 2018/19	Quarter 1 Target	2019/2020 Target
Proportion of people using social care who receive direct payments	Cllr Little	33.1%	35.7%	35.2%	36.5%	36.5%	ACHIEVED	↑	32%	32%
Number of applicants with family commitments in Bed & Breakfast for six weeks or more (ie homeless presentees with dependent child(ren))	Cllr Johnson	0	0	0	0	0	ACHIEVED	↑	0	0
Contact Centre - Face to Face average waiting times (minutes)	Cllr Huelin	03:56	01:35	01:06	01:02	01:02	ACHIEVED	↑	3 mins	3 mins
% of refuse bins emptied on correct day	Cllr Watkins	97.85%	99.48%	99.14%	99.56%	99.41%	ACHIEVED	↑	98.5%	98.5%
% of potholes repaired within policy and agreed timeframe	Cllr Maney	99.10%	100%	100%	100%	100%	ACHIEVED	↑	98%	98%
Number of additional hypertensive patients diagnosed following screening programmes	Cllr Halden	694				255	ACHIEVED	↑	150	600
No of placements available within council for volunteers	Cllr Huelin	180				191	ACHIEVED	↑	190	210
% of volunteer placements filled within council	Cllr Huelin	85%				90%	ACHIEVED	↑	90%	96%
Successful completion of treatment in young people's drug & alcohol service	Cllr Halden	89%				100%	ACHIEVED	↑	70%	70%
Number of GP practices with a profile card and agreed joint priorities within the preceding 12 months	Cllr Halden	93%				100%	ACHIEVED	↑	93%	93%
% of older people (65+) still at home 91 days after discharge from hospital into reablement/ rehabilitation	Cllr Little	82.50%				86.9%	ACHIEVED	↑	86%	86% (prov)
% occupancy of commercial properties	Cllr Coxshall	89%				91%	ACHIEVED	↑	88%	88%
Street Cleanliness - a) Litter – % of land which has unacceptably high levels of litter (independent Keep Britain Tidy survey)	Cllr Watkins	10.06%				Tranche 1 8%	ACHIEVED	↑	9%	9%

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1	Qtr 1 Target Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Average time to turnaround/re-let voids (in days)	Cllr Johnson	26.64 days	22.8 days	27.5 days	28.7 days	26.5 days	ACHIEVED	↑	28 days	28 days
No of new apprenticeships started (incl current staff undertaking new apprentice standards) as % of workforce	Cllr Huelin	60	1	1	5	7	ACHIEVED	↑	5	59 (2.3%)
Permanent admissions of older people (aged 65+) to residential and nursing care homes per 100,000 population	Cllr Little	669 per 100,000	63 (15)	109 (26)	139 (33)	139 (33)	ACHIEVED	↑	168 (40)	656 (prov)
Overall spend to budget on HRA (£K variance)	Cllr Johnson	£0	£0	£0	£0	£0	ACHIEVED	→	£0	£0
% of Major planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	ACHIEVED	→	90%	90%
% of Minor planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	ACHIEVED	→	90%	90%
Forecast Council Tax collected	Cllr Hebb	98.9%	98.9%	98.9%	98.9%	98.9%	ACHIEVED	→	98.9%	98.9%
Forecast National Non-Domestic Rates (NNDR) collected	Cllr Hebb	98.9%	99.3%	99.3%	99.3%	99.3%	ACHIEVED	→	99.3%	99.3%
% of young people who reoffend after a previously recorded offence	Cllr Little	18%				18% (Q4 in arrears)	ACHIEVED	→	National average (39.6% 17/18)	National average (39.6% 17/18)
% of all schools judged "good" or better	Cllr Halden	88%				88%	ACHIEVED	→	National average (85.6%)	National average (85.6%)
No of HRA-funded homes (units) that have started to be built since 1 April 2019	Cllr Johnson	117				0	ACHIEVED	→	0	80
Overall spend to budget on General Fund (% variance against forecast)	Cllr Hebb	0%				0%	ACHIEVED	→	0%	0%

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1	Qtr 1 Target Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Number of delayed transfers of care - days from hospital (attrib. to NHS, ASC & Joint)	Cllr Little	2,459	134	132	month in arrears	month in arrears	ACHIEVED	↓	773	3,107 (prov)
% of repairs completed within target	Cllr Johnson	97.70%	97.9%	97.5%	97.0%	97.4%	ACHIEVED	↓	95%	95%
% Rent collected	Cllr Johnson	98.80%	83.4%	86.6%	89.6%	89.6%	ACHIEVED	↓	98%	98%
Tenant satisfaction with Transforming Homes	Cllr Johnson	87.50%	80%	91.5%	89.2%	86.2%	ACHIEVED	↓	85%	85%
No of Thurrock businesses benefitting from ERDF programmes	Cllr Coxshall	68				13	ACHIEVED	↓	10	40
Number of new Micro Enterprises started since 1 April 2019	Cllr Huelin	<i>new KPI</i>				14	ACHIEVED	N/A	5	20
Value (£) of council owned property disposals	Cllr Coxshall	<i>n/a</i>				£320K	N/A	N/A	N/A	No target - baseline

3.4 In focus highlights for Quarter 1

Of particular note in Quarter 1 are the following indicators for which more detail is provided below:

Indicator Definition	2018/19 Outturn	In month April	In month May	In month June	Qtr 1	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% of refuse bins emptied on correct day	97.85%	99.48%	99.14%	99.56%	99.41%	ACHIEVED	↑	98.50%	98.50%
<p>This indicator is in focus this quarter as the end of year report for 2018/19 showed this as having failed to reach its target. The first quarter of 2019/20 has continued to show the positive trend that was evident towards the end of last year and it is anticipated that this can be sustained throughout this year. The improvement has been brought about by the service rebalancing routes (growth) and addressing driver cover shortages as well as, during the year, raising awareness of access issues for emergency and service vehicles due to inappropriate parking in narrow streets.</p>									

Indicator Definition	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Latest	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Contact Centre - Face to Face average waiting times (minutes)	3:56 minutes	1:35 minutes	1:06 minutes	1:02 minutes	1:02 minutes	ACHIEVED	↑	3 minutes	3 minutes
<p>The average waiting time is down to just over 1 minute from an average of over 6 minutes in both 2016/17 and 2017/18 and approximately 4 minutes last year. This reduction in average waiting times for residents who come to Civic Offices has been brought about by the transformation of the face to face reception area during 2018/19. The aim of the digitally-enabled transformation was to minimise the need for customers to directly contact the council whilst at the same time ensuring those customers who do, are provided with an excellent self-service experience and vulnerable residents who need additional assistance are supported. The service is now quick, convenient and gives residents the confidence to self-serve digitally themselves next time from home or out and about at any time of the day or night.</p> <p>The huge improvement has also been recognised by the national customer services accreditation standard in a recent inspection which has identified Thurrock's Customer Services team as a "Leading Example". The report commented that: "The assessor has no hesitation in recommending Thurrock Council be awarded CCA Global Standard V7 accreditation. This was an exceptionally good assessment visit to a contact centre which is extremely well led... The centre has tremendous customer and colleague focus, and operates as a much-valued operation, within a forward focused organisation. This is a thorough, well planned out and completely logical and practical approach and it is easy to understand how this would add benefit to any business and can be used as a strong example for initiatives of this nature."</p> <p>This transformation has been highly commended and shortlisted in a number of national awards and the service will find out in September whether it has won the APSE award for Best Efficiency and Transformation initiative.</p>									

3.5 Off target indicators

At the end of quarter 1, 11 indicators failed to meet their target.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% General tenant satisfaction with neighbourhoods/services provided by Housing	Clr Johnson	68%	76.8%	65.6%	78.9%	73.9%	FAILED	↑	75%	75%
<p>This KPI did not meet its target of 75% due to underperformance in May 2019 when a satisfaction rate of 65.6% was recorded (“excellent” and “good” ratings only). However it is important to note that 21% of residents gave a “fair” rating (which is neutral) and only 13.4% of residents gave a poor rating with no residents rating the service as “very poor”. It is also important to note that satisfaction rates in April and June exceeded the 75% target and year to date satisfaction is 73.9%, 8.6% higher than Q1 satisfaction in 2018/19.</p> <p>Analysis of the qualitative feedback from residents confirms that there are two clear themes for neutral and negative feedback – repairs/planned maintenance and communication/engagement. Negative and neutral feedback relating to repairs/planned maintenance were mainly accompanied by “fair” ratings (8/11) and most feedback related to the requirement for capital replacements which were mainly external elements such as windows, doors, roofs with some internal elements such as storage heaters mentioned. Other feedback related to priority timescales and expressed a need for faster response times.</p> <p>Communication/engagement issues are also a clear theme for neutral and negative feedback and were mainly accompanied by “poor” ratings (5/6). In the main, residents who gave feedback relating to communication/engagement feel that there is a lack of communication between the Housing department and residents and that their views are not listened to.</p>										
Route to GREEN										
<p>The primary focus of the Transforming Homes programme will move onto external elements this year with the replacement of single glazed windows being the first priority. It is anticipated that dissatisfaction levels with issues with external capital elements such as windows will decrease gradually as the programme progresses. A number of measures have already been introduced in order to address dissatisfaction surrounding this communication and engagement including a formal communication plan, an annual tenants conference, enhancements to the Tenants Excellence Panels involvement in service delivery and a mailshot to all tenants.</p> <p>Since these measures have been taken, an increase in satisfaction has been experienced which analysis shows is attributed to improved communication and engagement with residents. Further initiatives to improve engagement and communication further are planned such as a tenants e-newsletter and a wider ranging satisfaction survey to allow us to better understand our tenants with a view to improving service delivery.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% of primary schools judged "good" or better	Cllr Halden	90%				92%	FAILED	↑	94%	94%
<p>In Quarter 1 there were two Ofsted Inspections of primary schools (Chadwell St Mary and The Gateway Primary Free School). Both of these inspections resulted in a good Ofsted judgement. The Gateway Primary Free School was previously Requires Improvement. There are three primary schools that are not yet judged to be good, two of whom have become sponsored academies and have significantly improved. It is unlikely they will be re-inspected yet as Ofsted give schools up to five terms after they become an academy before they are inspected again.</p>										
Route to GREEN										
<p>Both schools have worked closely with the local authority and the multi-academy trusts to improve and their most recent data is at or above national averages. The third school that is not yet good is working with its trust and the teaching schools to improve teaching and learning. It is unlikely that the school will be re-inspected until at least Sept 2020 due to the Ofsted cycle.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Tranche 1 Outturn	Tranche 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% of land which has unacceptable levels of graffiti	Cllr Watkins	4.28%				3.67%	FAILED	↑	3%	3%
<p>This data is from an independent survey by Keep Britain Tidy based on a sample of locations across the borough. The survey is undertaken three times a year using a different location sample for each of the three tranches.</p> <p>Whilst the target for graffiti was not achieved in Tranche 1, this is a significant improvement on both the 2018/19 outturn 4.28% and the individual 2018/19 Tranche 3 score of 5.83%. The main land use area for poor graffiti is classified as "other highways" – this includes lay-bys, underpasses, footbridges and alleyways and other parts of the highway which would not be described as a main road or rural road. Very positively, there were no incidents of graffiti in any of the housing areas or on the main or rural roads that were sampled in Tranche 1.</p>										
Route to GREEN										
<p>As part of the Clean it strategy, the council has increased its focus on the removal of graffiti on its own land as quickly as possible after it has been reported. In areas such as high speed roads etc. this can take longer to clean as the safety of officers is essential. However, a large percentage of incidents of graffiti identified are on private properties, for which the council does not have jurisdiction to remove. The council has recently proactively sent letters to the land owners of those sites that have been identified, asking them to arrange to remove the graffiti or risk being fined. All but one of those letters have resulted in the graffiti being removed. The street cleaning and enforcement teams will continue to work together with landowners to remove graffiti as quickly as possible and it is anticipated that the results for Tranche 2 later in the year will improve.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Average time (in days) for a child to be adopted (3 year average)	Cllr Little	585 days				492 days	FAILED	↑	486 days	National average (486 2015-18)

Whilst our performance has improved (2018/19 outturn was 585 days), we are 6 days over target for Q1. We did not hit the target as we have received challenges from some parents on the Placement Order, even though matches have been made this causes a delay in the child being adopted.

Route to GREEN

This performance is significantly better than 2018/19 but remains below target. Each adoption situation is unique and as such the exact support and time needed in each case differs. The service works closely with the child, the parent(s) and adoptive family to make sure the new arrangements are right and are in place – that is the main focus - and sometimes that takes longer. However, we continuously monitor this to ensure that the processing times are not being unreasonably delayed. The aim is to further improve performance in this area, so that even when there are delays caused by challenges the average timescales remain within target. However, the service will always put the child's welfare first and will take as long as is needed to ensure the future of the child has been secured.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Number of health hazards removed as a direct result of private sector housing team intervention	Cllr Johnson	896	81	53	67	201	FAILED	↓	225	900

After a strong start in April, performance has dipped in May and June. Landlords are allowed a reasonable length of time to remove Category 1 & 2 Hazards at informal stage, subject to discretionary factors, such as property condition, number of improvements required, and potential risk of harm to the occupier, for example, no heating in winter, the landlord must reinstate heating within 24 hours but during a hot summer, the same landlord has 5-7 days if the occupier is without a health condition.

Route to GREEN

Informal action is necessary before formal action is considered as a last resort to work with private landlords within the private rented sector. The service is increasing its enforcement action and serving Civil Penalty Notices as an alternative to prosecution to resolve issues of substandard accommodation. We anticipate our timeline for improvement starts in quarter 2.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Number of library members (signed up and active within 12 months for loans and PC use)	Cllr Huelin	25,756				25,383	FAILED	↓	26,013	26,785

Libraries have joined 1,912 new members April to June 2019. This is in comparison to 1,714 in the same period last year which shows an increase of 198 new members. However, more customers have become 'inactive' as they have not used the service to use the computers or borrow an item in the last 12 months. A Children's Learning Services Officer post responsible for encouraging children to join libraries was also vacant from February to June.

Route to GREEN

The Summer Reading Challenge is taking place in July-August which is the busiest time and attracts new members. The Children's Learning Services Officer post has now been filled and class visits will resume in September. All libraries have a daily new member target based on the hours the library is open, and benchmarking figures from 2018/19 on the usage and numbers of new members gained. All library staff are tasked with raising membership both within venues and during outreach activities including promoting the wide range of library services to gain/retain customers. Following initial feedback from the LGA Libraries Peer Review in July, the service is currently looking at how best to promote the benefits and activities of local libraries to re-engage with existing library members. These plans will be developed during the next few months.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% Not in Education Employment or Training (NEET) + Unknown 16-17 year olds (age at start of academic year)	Cllr Halden	1.9%				2.5%	FAILED	↓	1.6%	1.6%

NEET numbers often fluctuate over quarter one due to the transition into college from 1 September 2019 ie until a young person is enrolled into the college course they remain on the NEET register. This is reflected in the June figure of 2.5%.

Route to GREEN

The cohort of NEET young people is changing and therefore our interactions with them are being refocussed to address the increasingly diverse needs of the young person. This change in the NEET profile is determining a new NEET strategy which will be implemented from next month. The NEET service will now be more targeted and will focus on reducing barriers to enable young people to access training and employment opportunities. All NEET young people have an offer of learning which the service will be monitoring through the activity survey report beginning in September 2019.

The service anticipates the figure to meet the target in quarter two.

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% of 17-21 yr old Care Leavers in Education, Employment or Training	Cllr Halden	65%				61%	FAILED	↓	65%	65%
<p>The nature of the Children Looked After NEET (Not in Education Employment or Training) is becoming more targeted whereby they are unable to access training/education as there are many social, educational, emotional and housing barriers that need to be overcome before the young person is ready for employment. Out of the reported 22 in this cohort, 10 (45.5%) are 'NEET unavailable', i.e. teenage parents, long term illness or unaccompanied asylum seekers with no recourse to funds (unable to place) – the service will not be able to place them in a positive destination.</p>										
Route to GREEN										
<p>We are focussing work on the identified vulnerabilities which will enable us to provide more opportunities for re-engagement. We are also working with the Department of Education in relation to our recording of unaccompanied asylum seekers within this calculation and the statutory return – the revised approach will be monitored in the August reporting period.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Payment rate of Fixed Penalty Notices (FPNs)	Cllr Gledhill	61.60%	64.04%	58%	73.23%	66%	FAILED	↑	70%	70%
<p>The payment rate continues to be below the 70% target, since the increase in fine to £150. Non-payment is unacceptable. Due to technical issues case files were unable to be prepared and this had a significant impact on payment rates in May, however an increase in legal proceedings has resulted in a higher payment rate in June.</p>										
Route to GREEN										
<p>Non-payments of FPNs has been reviewed and an additional procedure of contacting non payers, prior to case file completion has shown some positive results in June. Those that don't pay are being pursued through the court process. This increased activity has shown positive results in June and we anticipate this will continue, following successful outcomes being shared in the media.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
% Household waste reused/ recycled/ composted	Cllr Watkins	37.5% (prov)	35%	37%	36%	36%	FAILED	↓	47.39%	41%
<p>The recycling rate for June was slightly lower than May's figure. Year to date performance appears to be in line with previous year's figures, however still below target. The last five years has shown a steady decline from 40.93% in 2013/14. The council can only 'encourage' residents to recycle and this is done using social media, information leaflets and the council's website to provide advice on what materials are collected both at kerbside and at the Household Waste Recycling Centre as part of a comprehensive communication plan.</p>										
Route to GREEN										
<p>There are a number of elements which will contribute to achieving our route to green. A cross party working group has been established to consider a new Waste Strategy with focus on increasing recycling rates. A new Recycling Education Officer has been appointed for a 12 month period to improve education in schools and to introduce a number of recycling initiatives, including a pilot in communal-properties to inform a fully refreshed roll out of recycling opportunities in all communal bin stores.</p> <p>The planned 'recycling methodology' trials in communal-properties are anticipated to aide an increase in participation, although this is on a very small trial-size; solid results will help on a small scale, and provide information for future presentation regimes moving forward. The trial will involve 3 separate locations where slight changes to the normal presentation / collection methods will be made; e.g. providing residents with their own small reusable storage bag for storing and carrying the recyclables to the bin-compound. The recycling containers will be monitored by the crew to visually measure how much is in the container, whether there is any contamination etc. to determine if the changes are having a positive impact to recycling participation at the site. This is anticipated to commence at the end of August 2019.</p>										

Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1 Outturn	Qtr 1 Status	Direction of Travel since 2018/19	Qtr 1 Target	2019/2020 Target
Total gross external income (fees & charges) (excluding income from Client Contributions for Adult Social Care packages)	Cllr Hebb	£8.15m				£7.34m	FAILED	↓	£7.73m	£7.73m
<p>Income from fees and charges is forecast at £388k below the target for the year. This is due to a shortfall in three areas - highways infrastructure, Grangewaters and day nurseries. (NB. Target excludes income from client contributions from adult social care).</p>										
Route to GREEN										
<p>The shortfall in income will result in a corresponding shortfall in operating cost. Performance recovery plans are monitored by the Commercial Board with a view to ensuring that the overall income target is achieved.</p>										

3.6 Other key indicators

Throughout the year the council also monitors some other indicators as part of the corporate scorecard which, whilst not performance related, are important to keep under review.

Demand Indicator Definition	Portfolio Holder	2018/19 Outturn	In month April	In month May	In month June	Qtr 1	Direction of Travel since 2018/19
Number of households at risk of homelessness approaching the Council for assistance	Cllr Johnson	1,605	161	112	145	418	↑
No of homeless cases accepted	Cllr Johnson	97	4	11	12	27	↓
Contact Centre - Face to Face - no of visitors	Cllr Huelin	68,822	4,424	4,929	5,136	14,489	↑

4. Reasons for Recommendation

- 4.1 The corporate priorities and associated performance framework are fundamental to articulating what the council is aiming to achieve. It is best practice to report on the performance of the council. It shows effective levels of governance and transparency and showcases strong performance as well as an acknowledgement of where we need to improve.
- 4.2 This report highlights what the council will focus on during 2019/20 and confirms the governance and monitoring mechanisms which were in place to ensure that priorities are delivered.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Performance against the corporate priorities was monitored through Performance Board, a cross-council officer group of performance experts representing each service. Performance Board will continue to consider the corporate KPIs on a monthly basis, highlighting areas of particular focus to Directors Board.
- 5.2 Each quarter a report will continue to be presented to Corporate Overview and Scrutiny Committee, and finally reported to Cabinet. This report went to Corporate Overview and Scrutiny Committee on 3 September 2019, feedback from which will be raised at the meeting as appropriate.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The vision and priorities cascade into every bit of the council and further to our partners, through key strategies, service plans, team plans and individual objectives.

6.2 This report will help decision makers and other interested parties, form a view of the success of the council's actions in working towards achieving the vision and priority ambitions.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**

Senior Management Accountant – Central Services

The report provides an update on performance against corporate priorities. There are financial KPIs within the corporate scorecard, the performance of which are included in the report.

Where there are issues of underperformance, any recovery planning commissioned by the council may entail future financial implications, and will need to be considered as appropriate.

7.2 Legal

Implications verified by: **Tim Hallam**

Acting Head of Legal, Assistant Director Law and Governance, Monitoring Officer

There are no direct legal implications arising from this report. However, where there are issues of underperformance, any recovery planning commissioned by the council or associated individual priority projects may have legal implications, and as such will need to be addressed separately as decisions relating to those specific activities are considered.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**

Community Engagement & Project Monitoring Officer

The Corporate Performance Framework for 2019/20 contains measures that help determine the level of progress with meeting wider diversity and equality ambitions, including youth employment and attainment, independent living, vulnerable adults, volunteering etc. Individual commentary is given throughout the year within the regular monitoring reports regarding progress and actions.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children)

The Corporate Performance Framework includes areas which affect a wide variety of issues, including those noted above. Where applicable these are covered in the appendix.

8. **Background papers used in preparing the report** (including their location on the council's website or identification whether any are exempt or protected by copyright):

N/A

9. **Appendices to the report**

N/A

Report Author:

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